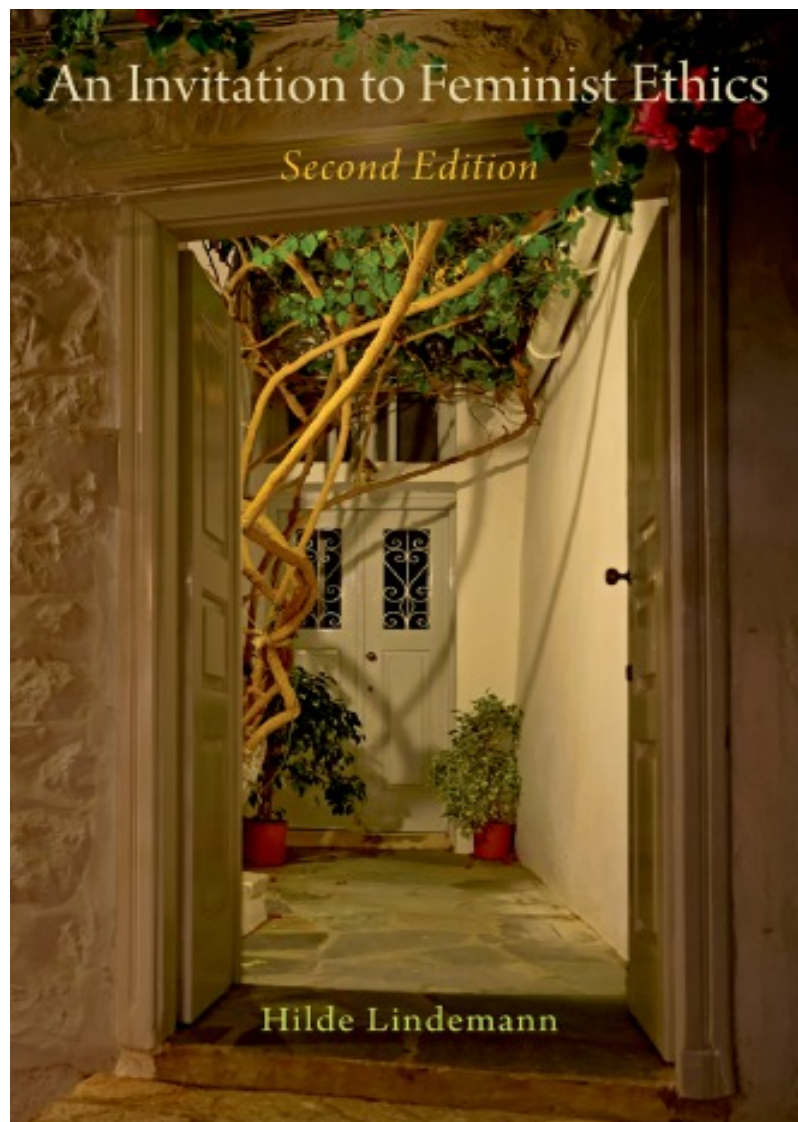


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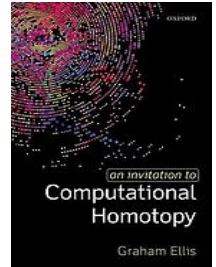


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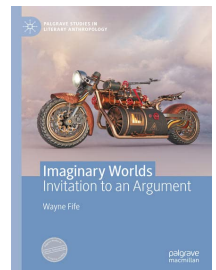
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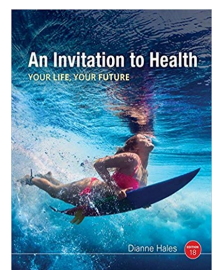
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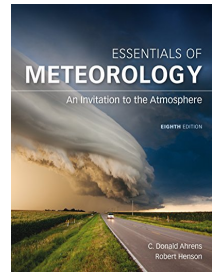
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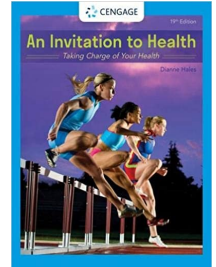
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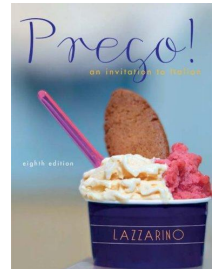
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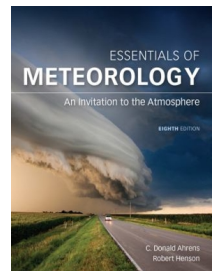
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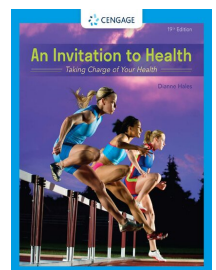
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An Invitation to Feminist Ethics

Second Edition

Hilde Lindemann

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Second Edition

HILDE LINDEMANN

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Published in the United States of America by Oxford University Press
198 Madison Avenue, New York, NY 10016, United States of America.

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Library of Congress Cataloging-in-Publication Data

Names: Lindemann, Hilde, author.

Title: An invitation to feminist ethics / Hilde Lindemann.

Description: 2nd Edition. | New York : Oxford University Press, 2019. |

Includes bibliographical references and index.

Identifiers: LCCN 2018058775 (print) | LCCN 2019006431 (ebook) |

ISBN 9780190059347 (Online content) | ISBN 9780190059323 (updf) |

ISBN 9780190059330 (epub) | ISBN 9780190059316 (pbk. : alk. paper)

Subjects: LCSH: Feminist ethics. | Feminism—Moral and ethical aspects.

Classification: LCC BJ1395 (ebook) | LCC BJ1395 .L56 2019 (print) |

DDC 170.82—dc23

LC record available at <https://lccn.loc.gov/2018058775>

1 3 5 7 9 8 6 4 2

Printed by Sheridan Books, Inc., United States of America

This book is for Ellen and Jack,

pieces of my heart

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Preface

Three themes came together in feminist work in the late 1970s and early 1980s to give rise to the term “feminist ethics.” One theme was that of feminist attention to contemporary ethical issues, such as equality of opportunity, war, and rape. Another was that of uncovering sexist biases in the traditional ethical theories. And the third was that of the differences other than gender—such as race, class, sexual orientation, ability, and ethnicity—that can bring different perspectives to bear on ethics. Since then, a rapidly burgeoning literature in feminist ethics has not only enlarged on these three themes but also added a fourth: the development of feminist moral theories.

The majority of textbooks in philosophy don’t contain very much of this work, although there are a few exceptions. To be sure, the standard texts include a handful of articles by women philosophers, but typically not philosophers—whether women or men—who cite the feminist literature and use feminist methodologies. When the work of feminists does find its way into these volumes, it’s likely only to aim at issues of female plumbing (childbirth, egg donation, abortion), or caregiving, as if feminist ethics were essentially about what goes on in the women’s hut, away from the rest of the village.

It’s hard to say why this is so. In other areas of the humanities, feminist analysis and criticism is reasonably well integrated into the scholarly conversation. Textbooks in literary criticism, for example, include feminist work as a matter of course. The same is true in history, theatre studies, religious studies, and the social sciences. For the most part, though, philosophers have only just begun to pay attention to gender, race, and other abusive power systems, as they begin to realize that ignoring these matters distorts philosophical inquiry.

An Invitation to Feminist Ethics is an attempt to encourage further conversation. It’s meant to support the efforts of philosophers

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who may not know much about feminist ethics but want to learn. Its primary audience, though, is undergraduates, both those who have had some exposure to philosophical ethics and those who haven't. It's designed to be small enough to serve as a supplement to the usual introductory textbook, but it can also function as a stand-alone text in courses in feminist ethics, feminist philosophy, women's studies, bioethics, and the like.

The book is divided into two parts. The first part, "Overviews," begins by describing feminist ethics in broad strokes, saying something about what it isn't, as well as explaining what it is. Since feminist ethics is the attempt to understand, criticize, and correct our moral beliefs and practices, using gender as a central category of analysis, Chapter 1 introduces the concept of gender, as well as drawing contrasts between feminist and nonfeminist ways of doing ethics. In Chapter 2 I offer a survey of the feminist ethicist's toolkit—the set of essential concepts that feminists use to do their work. Crucial among these are the concepts of gender neutrality, androcentrism, difference, and oppression, all of which I put to work on a discussion of affirmative action. Chapter 3 adds another tool: intersectionality. I explain what it is and how it works, and then take a stab at figuring out what makes it so hard to deal with.

Chapter 4 looks at how personal identities operate—how they're conferred, how we "do" them, how they set up socially (and sometimes morally) normative expectations for the way some sorts of people are supposed to behave and how other sorts of people may treat them. Identities are of special concern to feminist ethics, I argue, because they interact with abusive power systems to establish who gets to do what to whom.

Chapter 5 is an overview of the impartial, impersonal, universalistic, hyperrational moral theories that have dominated ethics in English-speaking countries for the last two centuries. The overview is followed by feminist criticisms of the approach to morality that's presupposed by these theories. Chapter 6 is a survey of feminist moral theories. Although there are many of these, I confine myself to two sorts of theories: the ethics of care and what might loosely be called an ethics of responsibility.

The second part of the book, “Close-ups,” zooms in on three topics of particular concern to feminist ethicists. Chapter 7 offers a head shot of bioethics through a feminist lens, because bioethics is the most popular ethical discourse—the one that seems to matter to people in all walks of life—so it’s useful to see what feminists do with it. Chapter 8 offers a close look at how feminist philosophers think about violence, because violence, when it’s gendered, directly harms women. That’s why the chapter focuses on rape, the #MeToo movement, rape as a weapon of war, and domestic violence. And the final chapter looks carefully at ethical issues arising from the globalized economy, because here again gender plays a strong role. Not only does globalization join forces with gender to intensify the oppression of women in debtor nations, but “women’s work” has itself become globalized, often with disastrous consequences. The chapter—and the close-ups—closes with a discussion of how cross-cultural judgments can be made in an unconfused, feminist, nonarrogant manner.

Acknowledgments

Many people have helped me write this book. Particular thanks go to Margaret Urban Walker for talking me into the project in the first place and then offering insightful suggestions for improving many of the chapters. My dear friend Sara Ruddick read most of the book in draft and was, as she always was, unflagging and kind in her help. Jamie Lindemann Nelson completes the troika: she gave generously of her advice and affection, and offered many unfailingly supportive comments. This extremely fortunate philosopher thanks them.

An Invitation to Feminist Ethics

PART ONE

OVERVIEWS

1

What Is Feminist Ethics?

A few years ago, a dentist in Ohio was convicted of having sex with his female patients while they were under anesthesia. I haven't been able to discover whether he had to pay a fine or go to jail, but I do remember that the judge ordered him to take a course in ethics. And I recall thinking how odd that order was. Let's suppose, as the judge apparently did, that the dentist really and truly didn't know it was wrong to have sex with his anesthetized patients (this'll stretch your imagination, but give it a shot). Can we expect—again, as the judge apparently did—that on completing the ethics course, the dentist would be a better, finer man?

Hardly. If studying ethics could make you good, then those of us with PhDs in moral philosophy would be absolute saints. I can't speak for all of us, of course, but though my colleagues are decent enough, they're no more moral than anyone else. Ethics doesn't improve your character. Its *subject* is morality, but its relationship to morality is that of a scholarly study to the thing being studied. In that respect, the relationship is a little like the relationship between grammar and language. Let's explore that analogy. People who are linguistically competent in English don't have to stop and think about the correctness of the sentence "Bellatrix gave it to *him*." But here's a harder one. Should you say, "Bellatrix gave it to *him* who must not be named" or "Bellatrix gave it to *he* who must not be named"? To sort this out, it helps to know a little grammar: the systematic, scholarly description of the structure of the language and the rules for speaking and writing it. According to those rules, the object of the preposition "to" is the entire clause that comes after it, and the subject of that clause is "he." So, even if it sounds peculiar to you, the correct answer is, "Bellatrix gave it to he who must not be named."

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moment of reconnoitering, the light went out and the door was shut sharply. Burton sprang toward it, stumbled over the armchair he had himself placed in the way, picked himself up, and reached the door,--only to look into the blank blackness of the back hall. There was a faint quiver of sound in the air, as though the outer house door had jarred with a sudden closing, and he ran down the hall; the door was unlocked and yielded at once to his touch. For a moment everything was still; then he heard the clatter of feet on a board walk. It was as though some one, escaping, had waited to see if he would be pursued and then had fled on. Burton ran around to the rear of the house, thankful that the moonlight now made his way plain. There was a board walk running from the kitchen door to a high wall at the end of the lot, but the sound he had heard was momentary, not continuous, so, on the theory that the man had crossed the walk, not run down the hundred feet of it to the alley, he ran on to the east side of the house. There was no one to be seen, of course. Any one familiar with the location could have hidden himself in any of a hundred shadows. The lot was filled with trees, and one large oak almost rested against the house. It reminded him of Henry's remark at dinner about getting down from the second story by the oak on the east side, and he glanced up. It looked an easy climb--and two of the house windows were lit. On the impulse of the moment, he swung himself up into the branches. As he came level with the lit windows, Henry Underwood passed one of them, still fully dressed. He was so near that Burton was certain for a moment that he himself must have been discovered, and he waited a moment in suspense. But Henry had passed the window without looking out.

What Burton had expected to discover was perhaps not clear to his own mind. If he had analyzed the intuition he followed, he would have said that he was acting on the theory that Henry had looked into his room, and then, fleeing out of doors to throw him off the scent--by that side door to which he obviously carried a key, since he had let himself in that way shortly before--had regained his room by this schoolboy stairway. The feeling had been strong upon him that

he was close on the trail of some one fleeing. But if in fact it had been Henry, how could he challenge him, here in his own room? Clearly he was within his rights here,--a fact that was emphasized when, after a minute, he came to the window and pulled the curtain down.

Burton dropped to the ground and retraced his steps around the rear of the house. Here he saw that the board walk ran down to a gate,--the gate in the rear by which he had seen Mrs. Bussey talking in excited fashion to a man, earlier in the day. The gate opened at Burton's touch and he looked out into an empty alley. It was so obvious that this would have been the natural and easy way of escape that he could only blame himself for folly in chasing an uncertain sound of footsteps past the gate around to the east of the house.

He found his way back to the surgery a good deal humiliated. The mysterious intruder had been almost within reach of his arm, and had got away without leaving a trace, and all that was gained was that hereafter he would be more alert than ever, knowing himself watched. It was not a very creditable beginning. Burton threw himself down on the couch, and his annoyance did not prevent his dropping, after a time, into a sound sleep.

Therefore he did not see how that red glow on the sky above the trees deepened and made a bright hole in the night, long before the morning came to banish the darkness legitimately.

CHAPTER VII

THE WORK OF THE INCENDIARY

Burton awoke from his short and uneasy sleep with a sudden start and the feeling that some one had been near him. The room was, however, empty and gray in the early morning light. As full recollection of the events that had passed came back to his mind, an ugly thought pressed to the front. Was it Henry who was persecuting the doctor? Or, rather, was there a possibility that it was not Henry? It certainly was Henry who had been abroad at two in the night,-- that was indisputable. Burton had seen him too clearly to be in doubt. Was it not straining incredulity to doubt that it was Henry who had tried to enter his room a few minutes later? If it had been a stranger, would Henry not have been aroused by the opening and shutting of the outside door? It was not a pleasant idea that Miss Underwood's brother was the culprit in the case, but it appeared that he had already laid himself open to suspicion in connection with the series of petty annoyances which his sister had narrated. The local police might not be expert detectives, but they must have average intelligence and experience. And that Henry was moved by a sort of dumb antagonism toward his father was quite obvious.

Burton jumped up from the couch, where he had been revolving the situation, and a scrap of paper, dislodged from his clothing, fell to the floor. He picked it up and read:

"Spy!

"Go back, spy, or you'll be sorry."

In spite of nerves that were ordinarily steady enough, Burton felt a thrill of something like dismay. An unfriendly presence had bent over him while he slept, left this message of sinister import, and vanished as he had vanished into the night when pursued. The thought that he had lain helpless under the scrutiny of this soft-footed, invisible

enemy was more disturbing than the threat itself. It gave him a sensation of repulsion that made him understand Miss Underwood's feeling. The situation was not merely bizarre. It was intolerable.

He examined the slip of paper carefully. It was long and narrow and soft,--such a strip as might have been torn from the margin of a newspaper. The writing was with a very soft, blunt pencil. A pencil such as he had seen carpenters use in marking boards might have made those heavy lines. The hand was obviously disguised and not very skilfully, for while occasional strokes were laboriously unsteady, others were rapid and firm.

He folded the paper and put it carefully away in his pocketbook. If this were Henry's work, he undoubtedly was also the author of the anonymous typewritten notices which had been circulated in the town. Why was the message written this time instead of typewritten? A typewriter in the corner of the room caught his eye, as though it were itself the answer to his question. With a swift suspicion in his mind, he sat down before it and wrote a few lines. Upon comparing these with the typewritten slip which the doctor had shown him the evening before, and which still lay on the mantel, it was perfectly clear that they had both been produced by the same machine. Some one who had easy and unquestioned access to this room used the doctor's typewriter to tick off insinuations against its owner! It seemed like substantial proof of Henry's guilt. Who else could use this room without exciting comment? The audacity of the scheme was hardly more surprising than its simple-mindedness. Burton crushed his sheet in his hand and tossed it into the wastepaper basket with a feeling of contempt.

While he made a camp toilet he wondered why he had let himself in for all this. He had acted on a foolish impulse. There were roily depths in the matter which it would probably be better not to stir up, and it must now be his immediate care to get out of the whole connection as soon as possible. He had no desire to play detective against Miss Underwood's brother. Thank heaven that her

acceptance of his tender for Philip had been so conditioned! He would withdraw while the matter was still nebulous.

There came a tap at the door and Mrs. Bussey entered.

"Breakfast's ready," she announced. Then she waited a moment and added in a shamefaced undertone that betrayed the unfamiliarity of the message, "Miss Underwood's compliments!" and vanished in obvious embarrassment.

Burton had to laugh at that, and with more cheerfulness than he would have thought possible he found his way to the breakfast room. Miss Underwood herself smiled a welcome at him from the head of the table.

"You are to breakfast tête-à-tête with me," she said, answering his unconscious look of inquiry. "Mother always breakfasts in her room, and poor father will have to do the same this morning. Henry has been gardening for hours. So you have only myself left!"

"I can imagine worse fates," said Burton. And then, with a curiosity about Henry which was none the less keen because he did not intend to make it public, he asked: "Is your brother an enthusiastic gardener?"

"It is the only thing he cares about, but it would be stretching the word to call him enthusiastic, I'm afraid. Poor Henry!"

"Why?"

"I mean because of Ben Bussey."

"Oh, yes."

"It has made him so moody and strange. You see, he has had Ben before him all his life as an object lesson on the effects of temper, and mother has rather pointed the moral. She thinks that all troubles

are the punishment of some wrongdoing, and she has had a good deal of influence with Henry always. It has made him resentful toward every one."

"It's unfortunate. Wouldn't it be better to send Ben away?"

"Father hoped to cure him, so he kept him here. Besides, he couldn't afford to keep him anywhere else, I'm afraid. It would be expensive to send him to a hospital,--and father can do everything for him that any one could. No one realizes as I do how father has worried over the whole unhappy situation. He has tried everything for Ben,--even to electricity. And that made trouble, too!"

"Why? Did Ben object?"

"No, but his mother did. I think the popular prejudice against father on all sides is largely the effect of Mrs. Bussey's talking. She is an ignorant woman, as you can see."

"What is Ben's attitude? Is he resentful?"

"Not at all. He is a quiet, sensible fellow, who takes things philosophically. He knows it was all an accident, of course. And he knows that father has done everything possible, besides taking on himself the support of both Ben and his mother for life."

"That is more than mere justice."

"Oh, father is like that! Besides, they would be helpless. Ben's father was a roving character who lived for years among the Indians. He hasn't been heard of for years, and no one knows whether he is dead or alive. He had practically deserted them years before Ben's accident. So father felt responsible for them, because of Henry."

"I see," said Burton thoughtfully.

Just then the door was thrown suddenly open, and Mrs. Bussey popped in, her face curiously distorted with excitement.

"The Spriggs' house is burnt!" she exclaimed, with obvious enjoyment in chronicling great news.

"How do you know?" demanded Leslie.

"Milkman told me. Burnt to the ground."

"Was any one hurt?"

"No," she admitted regretfully. Then she cheered up, and added: "But the house was burnt to the ground! Started at two o'clock in the night, and they had ter get outer the winder to save their lives. Not a rag of clothes to their backs. Jest smoking ashes now."

"I must go and see them immediately after breakfast," said Leslie. And, by way of dismissal, she added: "Please bring some hot toast now."

As soon as Mrs. Bussey was out of the room she turned to Burton.

"That is the family whose children threw stones at father yesterday. I'm awfully sorry this happened."

"Yes?"

"Because--oh, you can't imagine how people talk!--some one is sure to say that it happened because they stoned him."

"Oh, how absurd! Who would say that?"

She shook her head with a hopeless gesture. "You don't realize how eager people are to believe evil. It is like the stories of the wolves who devour their companions when they fall. They can't prove anything, but they are all the more ready to talk as though they thought it might be true. But at any rate, they can't claim that he set

fire to the Sprigg house since he can't walk. Oh dear, I'm glad he sprained his ankle yesterday!"

"Filial daughter!" said Burton lightly. But his mind was busy with what he had seen in the night. Where had Henry been when he came back from town at two o'clock in the night? It would be fortunate if popular suspicion did indeed fall upon the doctor in this case, since he could more easily prove an alibi than some other members of his family.

"You will see father before you leave, will you not?" asked Leslie, after a moment.

"Yes. And if you really think it wise to visit the scene of disaster this morning, will you not permit me to accompany you?"

"Wise!" she said, with a look of wonder and a cheerless little laugh. "My family is not conspicuous for its wisdom. But I shall be very glad to have you go with me. I am going immediately. Will you see my father first?"

"Yes," he said, rising.

Dr. Underwood had already heard the news. He was up and nearly dressed when he answered Burton's knock at his door.

"So you think you're all right again," the latter said.

"It doesn't make any difference whether I am all right or not," the doctor said impetuously. "I've got to get out. You've heard about the fire?"

"Yes."

"I would have given my right hand to prevent it."

"You weren't given the choice," said Burton coolly, "so your hand is saved to you and you will probably find use for it. What's more, you are going back to bed, and you will stay there until I give you leave to get up."

"The devil I am! What for?"

"Because you can't walk a step on account of your sprained ankle."

Underwood turned to look at him in amaze.

"Oh, can't I?"

"Not a step."

"Suppose I don't agree with you?"

"If my orders are not obeyed, of course I shall throw up the case."

Underwood sat down on the edge of the bed. "So you think it's as bad as that!" he muttered. Suddenly he lifted his head with a keen look at Burton, but if a question were on his lips he checked it there. "All right," he said wearily. "I--I'll leave the case in your hands, Doctor. By the way, you didn't have any reward for your vigil last night, did you? There was no attempt to enter the surgery?"

"Oh, an amateur can't always expect to bag his game at the first shot," Burton said lightly.

He found Miss Underwood ready and waiting when he came downstairs, and they set out at once for the scene of the fire. She looked so thoughtful and preoccupied that he could not fail to realize how serious this affair must seem to her. Could it be that she entertained any of his own uncomfortable doubts as to the accidental character of the fire?

"I am consumed with wonder as to why you are going to visit the Spriggs," he said, as they went out into the shaded street. "Is it pure humanitarianism?"

"No," she said slowly. "I am worried. Of course they can't connect father with it, and yet--I am worried."

"And so you want to be on the field of battle?"

"Yes."

"Well, that's gallant, at any rate."

"But not wise?" she asked seriously.

"I withdraw that word. It is always wise to meet things with courage."

She walked on in silence a few moments.

"But they can't connect father with this, can they?" she asked earnestly.

"Of course not," he said,--and wished they need prepare to face no more serious attack than one on the doctor.

There was a small crowd about the smoking ruins of what had been a sprawling frame dwelling-house. A couple of firemen were still on the grounds, and uncounted boys were shouting with excitement and running about with superfluous activity. The nucleus of the crowd seemed to be an excited and crying woman, and Miss Underwood pressed toward this point. A large man, pompous even at this early morning hour, whose back was toward them as they approached, was talking.

"I have no doubt you are right, ma'am. I heard him say myself that fire would come down and burn them because they threw stones at

him. It is an outrage that such a man should be loose in the community. We are none of us safe in our beds."

It was Hadley. Some exclamation made him turn at that moment and he saw Leslie Underwood, and suddenly fell silent. But the woman to whom he had been talking did not fall silent. Instead, she rushed up to Leslie and screamed at her, between angry sobs:

"Yes, you'd better come and look at your father's work. I wonder that you dare show your face! Burnt in our beds we might have been and that's what he meant, and all because the boys threw some bits of stones playful-like at his old buggy. Every one of us might have been burnt to death, and where are our things and our clothes and our home, and where are we going to live? Burnt up by that wicked old man, and I wonder you will show your face in the street!"

Miss Underwood shrank back, speechless and dismayed, before the furious woman, and Burton put himself before her.

"Mrs. Sprigg, your misfortune will make Miss Underwood overlook your words, but nothing will justify or excuse them. You have suffered a loss and we are all sorry for you, and Miss Underwood came here for the express purpose of offering to help you if there is anything she can do. But you must not slander an innocent man. And as for the rest of you," he added, turning with blazing anger to the crowd as a whole, "you must remember that such remarks as I heard when I came up will make you liable to an action for defamation of character. The law does not permit you to charge a man with arson without any ground for doing so."

"If Dr. Underwood didn't do it, who did? Tell me that," a man in the crowd called out.

"I don't have to tell you. That's nonsense. Probably it caught from the chimney."

"The chief says it's incendiary all right. Started in a bedroom on the second floor, in a pile of clothes near a window."

"Even if it were incendiary,--though I don't believe it was--that has nothing to do with Dr. Underwood. He's laid up with a sprained ankle and can't walk a step, let alone climb up to a second story window."

"Well, Henry Underwood hasn't sprained an ankle, has he?" This came from Selby, whom Burton had not noticed before. He thrust himself forward now, and there was something almost like triumph in his excited face.

"What do you mean by bringing his name in?" Burton asked sternly.

"It looks like his work all right. More than one fire has been started by him in High Ridge before this. There are people who haven't forgotten his tricks here six years ago, writing letters about his father, and burning clothes and keeping the whole place stirred up. I'm not surprised he has come to this."

"He ought to be hung for this, that's what he ought," burst in Mrs. Sprigg. "Burning people's houses over their heads, in the dead of night! Hanging's too good for him."

"You have not an atom of evidence to go on," cried Burton, exasperated into argument. "You might just as well accuse me, or Mr. Selby, or any one else. Henry Underwood has no ill-will against you,--"

"The doctor said that fire would come and burn the children up; Mr. Hadley heard him."

"That was nonsense. I heard what he said, too. He was just joking. Besides, that was the doctor, it wasn't Henry."

"If the doctor had a wanted to a done it, he could," said an old man, judicially. "He knows too much for his own good, he does, and too

much for the good of the people that go agin him. 'Tain't safe to go agin him. He can make you lay on your back all your life, like he done with Ben Bussey. He'd a been well long afore this if the doctor had treated him right."

"Come away from this," said Burton in a low voice to Leslie. "You see you can do no good. There is no reason why you should endure this."

She let him guide her through the crowd, but as they turned away, Selby called to Burton:

"You say we haven't any evidence. I'm going to get it. There is no one in High Ridge but Henry Underwood who would do such a trick, and I am going to prove it against him. We've stood this just long enough."

Burton made no answer. He was now chiefly anxious to hurry Leslie from an unpleasant scene. But again they were interrupted. Mr. Hadley came puffing after them, with every sign of anxiety in his face.

"Say, Miss Leslie," he began breathlessly, "I didn't mean what I said about not being safe in our beds. You won't mention that to your father, will you? I don't want to get him set against me. I'm sure he wouldn't harm me for the world. I know I'm perfectly safe in my bed, Miss Leslie."

She swept him with a withering look of scorn, and hurried on without a word.

"You see," she said to Burton.

"Yes, I see. It is simply intolerable."

"How can they believe it?"

"I think your father should know what is being said. May I go home with you, and report the affair to him?"

"I shall be thankful if you will."

"You really mean that, don't you? Of course I know that I am nearly a stranger and that I may seem to be pressing into purely family matters. But apart from my interest in anything that concerns Philip, I shall be glad on my own account if I can be of any help to you in a distressing situation."

"Thank you," she said gravely. And after a moment she added, with a whimsical air that was like her father's: "It would hardly be worth while for us to pretend to be strangers, after turning our skeleton-closet into a guest-chamber for you. You know all about us!"

Burton wasn't so sure of that. And he was even less assured after his half-hour conversation with the doctor, whom he found dressed, but certainly not wholly in his right mind.

"I have come to report the progress of the plot," said Burton. "I am glad to inform you that you are not suspected of having fired the Sprigg house with your own hand. Your sprained ankle served you well in that emergency. But your son Henry had no sprained ankle to protect him, so they have quite concluded that it was his doing."

Dr. Underwood looked at him thoughtfully, with no change of expression to indicate that the news was news to him.

"Was the fire incendiary?" he asked after a moment.

"So they assert."

The doctor closed his eyes with his finger-tips and sat silent for a moment.

"Was there any talk of--arrest?"

"There was wild talk, but of course there was nothing to justify an arrest,--no evidence."

"There never is," said the doctor. "This disturber of our peace is very skilful. He swoops down out of the dark, with an accompaniment of mystery and malice, and leaves us blinking, and that's all the satisfaction we get out of it. And the anonymous letters he scatters about are always typewritten."

"Not always," said Burton, resolving swiftly to throw the game into the doctor's hands. He laid before him the slip of paper that had been served upon himself in the night. "You don't, by any chance, recognize that handwriting?"

The doctor took the slip into his own hands and read the message gravely.

"Where did you get this?"

Burton told him the night's adventures in outline, mentioning casually Henry's return to the house at two, and the subsequent attempt of some one to enter his room, and his ineffectual pursuit.

Dr. Underwood listened with a more impassive face than was altogether natural. At the end of the recital he picked up the slip of paper again and studied it.

"I think one of those handwriting experts who analyze forgeries and that sort of thing would say that this was my handwriting, somewhat disguised," he said.

"Yours!" Burton exclaimed, taken by surprise.

"That's what struck me at first sight,--its familiarity. It is like seeing your own ghost. Of course it is obviously disguised, but some of the words look like my writing. You see how I am putting myself into your hands by this admission."

Burton fancied he saw something else, also, and the pathetic heroism of it made his heart swell with sudden emotion.

"A clue!" he cried gaily. "You did it in your sleep! And you wrote those typewritten letters and handbills on the typewriter in your surgery, when you were in the same somnambulic condition! I examined the work of that machine this morning. It corresponds so closely with the sheet you showed me last night that I have no doubt an expert would be able to work out a proof of identity."

"I'll see that the room is locked hereafter at night," said the doctor, with an effort.

"You'd be more likely to catch the villain by leaving the door unlocked and keeping a watch," said Burton, lightly assuming that the capture of the miscreant was still their joint object. "And I'll leave you this new manuscript to add to your collection. It is of no value to me."

'And he presented the incriminating paper to the doctor with a smile and took his leave. To himself, he hoped that enough had been said to make the doctor realize that if the disturber of the peace of High Ridge was not to be caught, it would be best to--get him away.

As he walked toward the hotel, he let himself face the situation frankly. If Henry was, as a matter of fact, the criminal, his firing of the Sprigg house was probably less from malice toward the Spriggs than from the conviction that it would be attributed to the agency of the doctor, whose rash speech about calling down fire on his persecutors had fitted so neatly into the outcome. Like the freakish pranks of which Miss Underwood had told, it was designed to hold the doctor up to public reprobation. Only this was much more serious than those earlier pranks. If a man would go so far as to imperil the lives of an entire family to feed fat his grudge against some one else, and that one his own father, it argued a dangerous degree of abnormality. Was it possible that Leslie Underwood's

brother was criminally insane? Suddenly Rachel Overman's face rose before him. He saw just how she would look if such a question were raised about a member of the family from which Philip had chosen his wife.

"Oh, good Lord!" Burton muttered to himself.

CHAPTER VIII

THE BABY THAT WAS TIED IN

It was nearing noon when Burton left Dr. Underwood's. He took the street that ran by the Sprigg house, though it led him somewhat out of the most direct road to the hotel. He wanted to get the temper of the crowd and the gossip of the street. But the crowd had dispersed. He saw one man near the blackened wall of the house where the fire was supposed to have started. He was bending down, as though examining the ground. Then he rose and went away,--somewhat hurriedly and furtively, Burton thought. It was, indeed, this skulking quality in the man's hasty departure that made Burton look at him a second time. It was Selby. So! He was apparently hunting for the "proof" that he had promised. But why should he be so secretive about it?

As he came around by the other side of the burned house, he saw that two boys were still lingering on the scene of the morning's excitement. They were talking vigorously, and when Burton stopped by the fence and looked in, one of the boys, recognizing a kindred interest in the drama of life, called to him:

"Did yer see the bush where the kid was found?"

"What kid?" asked Burton.

"The Sprigg baby. He was right in here among the lilac bushes and the soft little shoots had been tied together around him, so's he

couldn't get away, like Moses an' the bulrushes. Right in here. Yer can see the place now."

Burton jumped the fence and went up to the place where the boys were.

"Was the baby lost?" he asked.

"Mrs. Sprigg thought it was all burned up, because she forgot it when she came down in a hurry, and she was carrying on just awful, and then the firemen found the baby in here among the bushes, and they most stepped on it before they saw it."

"Had it crawled in by itself?"

"Naw, it was tied in! See here. You can see the knots yet, only most of them have been pulled to pieces."

"Who tied it in?" pressed Burton, bending down to examine the knots. They certainly were peculiar. The lithe lilac twigs had been drawn together by a cord that ran in and out among them till they were twisted and woven together as though they were part of a basket. It was the knot of an experienced and skilful weaver.

"Mrs. Sprigg she says at Henry Underwood would be too durn mean to look out for the kid and she thinks it was sperrets. But if it was sperrets they could a took the baby clear over to some house, couldn't they? The branches was tied together so's they had to cut some of them to get the kid out. See, you can see here where they cut 'em."

Burton found that the theory advanced by the boys that the incendiary who had fired the house had also, in dramatic fashion, saved the life of the youngest of the Sprigg brood, by carrying the infant down from the second floor, and knotting the lilac shoots about it so that it could not crawl into danger, was the most popular byproduct of the fire. The story was in every one's mouth.

When he entered the dining-room at the hotel, he encountered Ralston.

"Hello!" said the newspaper man. "I saw that you were registered here. Allow me to welcome you to the only home a bachelor like myself owns. Won't you sit at my table, to give the fiction some verisimilitude?"

"Thank you. I shall be glad to."

"You will suspect that my whole-hearted hospitality has some professional sub-stratum if I ask you at once how our friends the Underwoods are, but I'll have to risk that. I assume that you have seen them today."

"Yes, I have seen the doctor and Miss Underwood. They have met the amazing charge against Henry with dignity and patience. I didn't see Henry, and don't know what he may have to say."

"He'd better say nothing," said Ralston tersely. "It isn't a matter that is bettered by talk."

"Do you think there will be anything more than talk? I have as yet heard no suggestion of the slightest evidence against him."

"No, so far it is merely his bad reputation and the doctor's threat of yesterday. Have you happened to hear of the lively times Henry gave the town some six years ago? Property was burnt, things were stolen, people were terrorized in all sorts of ways for an entire summer. He must have had a glorious time."

"Was it proved against him?" asked Burton.

"The police never actually caught him, but they came so close upon his tracks several times that they warned the doctor that they had evidence against him. Then the disturbances stopped. That was significant."

"I heard something about it, but I understood that the attacks were mostly directed against the Underwoods themselves, and that the anonymous letters written by the miscreant were particularly directed against Henry. You don't suspect him of accusing himself!"

"But that's what he did. In fact, that was what first set the police to watching him. Perhaps you haven't happened to hear of such things, but there is a morbid form of egotism that makes people accuse themselves of crimes just for the sake of the notoriety. The handwriting of those letters was disguised, but the police were satisfied that Henry wrote them. They watched him for weeks, and though, as I say, they never caught him at anything really incriminating, they came so close on his trail several times that he evidently got scared and quit. Watson, the chief of police here, told me about it afterwards, and he is not sensational. Quite the contrary."

"How old was Henry at that time?"

"About nineteen."

"No wonder that he has grown into a morose man," said Burton thoughtfully. "It would be hard for any one to keep sweet-tempered against the pressure of such a public opinion."

Ralston shrugged his shoulders. "Public opinion is a brute beast, I admit, but still Henry has teased it more than was prudent. However, he has his picturesque sides. Did you hear about the rescue of the Sprigg baby?"

"Being knotted in among the lilac bushes for safe keeping? Yes, I have even seen the bushes."

"He probably knew that the others would be able to escape and so looked after the only helpless one,--which seems to have been more than the baby's mother did. That should count in his favor with a jury."

"Well, they certainly can't bring him to trial unless they get more evidence against him than they have at present," said Burton.

Ralston's reply was interrupted by a telephone call. He went to the office to answer it, and when he returned his face was grave.

"It looks as though they really had got something like direct evidence at last," he said. "They have found Henry Underwood's knife under the window where the incendiary must have got in."

"Who found it?"

"A couple of schoolboys. They turned it over to the police. One of my men has just got the story."

"Is it beyond question that it is Henry's?"

"Selby has identified it as the same knife that Henry had last night when we were there. He was in the neighborhood, it seems, and recognized the knife which the boys showed him on finding it. You remember that Selby had Henry's knife in his hands last night, and broke the point of the blade."

"Yes, I remember," said Burton. He was also recalling something else,--a skulking figure slipping away from the spot where the knife was found a very little later. "Doesn't it seem curious that the knife was only discovered now, considering how many people have been back and forth over the place all forenoon?"

"The knife seems to have been trodden into the earth by the crowd. That's how it was not found sooner."

"It seems to be a case of Carthage must be destroyed," said Burton, with some impatience. "Selby vowed this morning that he would find evidence against Henry. He conveniently is at hand to identify a knife as Henry's which he had in his own hands last night. It wouldn't require very much imagination to see a connection there. Selby

hates Henry. Selby uses Henry's knife, and in the passion of the moment slips it forgetfully into his own pocket. Then at the right time he loses it at a place where its discovery will seem to implicate Henry in a crime--"

"Sh!" warned Ralston, with a look of comic dismay.

But the warning came too late. Burton, startled, looked up in some anxiety, and found Selby just back of him, glaring at him with a look that was like a blow from a bludgeon. There was nothing less than murder in his eye. But instead of speaking, he turned on his heel as Burton half rose, and walked out of the room.

"I had no idea there was any one within earshot," said Burton, with dismay in his face.

"He just came in by that door back of you. I had no time to warn you."

"I'm a poor conspirator. Must I hunt Mr. Selby up, and apologize for the liveliness of my imagination?"

Ralston looked grave. "You must do as you please, but I'd let the cards lie as they fell. Selby has a violent temper,--"

"He certainly looked murderous."

"I can't understand why he walked off without saying anything. I should have expected him to do something violent. I saw him beat a horse nearly to death once because he was in a rage,--"

"That settles it. I shall not apologize. I'm glad he heard me."

Ralston laughed. "I'm glad you came to High Ridge! Do stay. We may be able to afford you some entertainment. You should hear Hadley! He is terrified to death for fear something will happen to him

next because he rashly made the remark that we are not safe in our beds so long as the Underwoods are loose."

"What does he expect to happen?"

"Goodness knows!" Then, with a mischievous look, he added: "Henry Underwood's methods are always original! It will probably be a surprise."

Burton once more, to speak figuratively, threw his time-table into the waste-basket. He certainly could not leave High Ridge while things were in this chaotic condition. He must at least wait until something definite happened.

He did not have long to wait.

CHAPTER IX

A POINTED WARNING

Burton did not know exactly what he expected to happen, or what he would gain by staying, but something more than a sense of his responsibility to Rachel made him want to see the thing through. That suspicion should have buzzed so long about Henry Underwood and nothing yet be proved could only be due to a combination of luck and circumstances which could not be expected to continue indefinitely. With Selby hot on the trail, the police were likely to have

some effective assistance. Malevolence is a great sharpener of the wits.

Wouldn't it be possible to get Henry out of town? Had he gone far enough in his hint to the doctor? Possibly if he saw Henry alone he could convey a warning that would be understood. He determined to see Henry.

But Henry was not at home. His disappointment in this information might have been greater if it had not been conveyed by Miss Underwood. He found it very easy to extend his inquiry into a call, and when he finally rose to take his leave he was surprised to find how time had flown. Philip was justified. The only thing to wonder at was Philip's discrimination. He must have been caught merely by her beauty, but even to appreciate her beauty at its right value was more than he had given Philip credit for. But what was the outcome to be? If the family were involved in a scandal, Philip was not the man to stand by her. He would be dominated by Rachel's prejudices, and Rachel would think the whole thing simply unspeakable. Yet things had gone so far that it would be impossible for Philip to withdraw without humiliating the girl,--and that, Burton now saw clearly, was the one impossible thing. No, the only way out was to stop the scandal from going further. Henry must be suppressed.

He had been revolving these thoughts as he walked the streets back to the hotel, when all at once his eye was caught by the sign:

**ORTON SELBY
CONTRACTOR AND BUILDER**

It swung above the door of a prosperous looking place, and he looked at the premises with interest. So this was where Mr. Selby did

business! As he looked, Mrs. Bussey came out of the office door, and scuttled off down the street like a frightened animal finding itself out of bounds. Possibly she was bringing some of her crippled son's carving to his employer. The connection was obvious and the relation was well understood, but somehow he did not like the idea of an inmate of the Underwood house having this side relation with a man who was an enemy. If anything were to be done to save Henry, it must be done skilfully and promptly. The atmosphere of the place was not favorable.

"There's a letter for you," the clerk said, as he handed Burton his key.

Burton took it with some wonder. He was not expecting mail here. But this letter had never gone through the mails. It was unstamped. The envelope was addressed in a heavy blunt penciling that he had seen before.

"Who left this?" he asked.

"I found it on the desk. I didn't see who left it there," the clerk said.

Burton did not open it until he reached his room. Then his premonition was confirmed. The scrap of paper was covered with the same heavy-lined writing that had been on the warning paper he had found in the morning. The message read:

"You have had one warning. This is the second. The third will be the last. You may as well understand that your help is not wanted."

And the clerk did not know how it came on his desk! There seemed to be a very conspiracy of stupidity and malice in the place. He examined it carefully. It was addressed to him by his full name,--and

his circle of acquaintances in High Ridge was extremely limited! Henry had not been at home when he called there. The letter had been left by some one who could come into the hotel and go out without exciting comment,--then clearly a familiar figure in the town. Burton's lips curled cynically. And the meaning of the message was quite plain! His "help" was not wanted. Whom was he trying to help, except the Underwoods?

He put the letter, envelope and all, into a large envelope which he sealed and directed to himself. He did not wish to destroy it just yet, neither did he wish to leave it where it would fall under another eye.

He dined in the public dining-room, without seeing either Ralston or Selby, and, being in no mood to cultivate new acquaintances, returned at once to his own room. He lit a cigar and got a book from his bag and settled down to read himself into quietness; but his mind would not free itself from the curious situation in which he found himself, and presently he tossed the book aside and went to the table where he had left the sealed letter addressed to himself. *It was gone*. It had been abstracted from his locked room while he was down at dinner.

Suddenly, as he stood there thinking, there was a sharp "ping," and a pane of his window crashed into splinters and fell into the room. A thud near his head caused him to turn, and there in the wall was a small hole where a bullet had buried itself in the plaster. The third warning!

Burton went down the stairs two steps at a time and out into the street. The hotel was on the main street, and Burton's room on the second floor looked toward the front. Across the street from the hotel was a small park, full of trees and shadows. It was clear that the shot through his front window had come from the direction of this park, and also that it would be futile to try to discover any one who might have been in hiding there. There were a hundred

avenues of unseen escape. It was already dark enough to make the streets obscure.

Burton went in and reported the shooting to the clerk. Of the missing letter he said nothing.

"Some boys must have been fooling around in the park with a gun," said the clerk, after viewing the scene of the disaster. "They might have hit you, the idiots. I'll bet they are scared stiff by now,--and serve them right."

"I wish you'd give me another room," said Burton abruptly.

"Why? You don't think they'll try to pot you again, do you?" smiled the clerk.

"I prefer to take another room," said Burton stiffly.

"Oh, very well. The adjoining room is vacant, if that will suit you."

"Yes. You may have my things moved in. Or, hold on. I'll move them in now, with your assistance, and you needn't say anything about the change downstairs."

The clerk took some pains to make it evident that he was suppressing a smile, but Burton did not particularly care what opinion the young man might form of his courage. He had other things in view.

His new room looked toward the side of the hotel. A driveway ran below his windows, separating the hotel from a large private house adjoining. Burton took a careful survey of his location, and when he settled down again to read, he was careful to select a position which was not in range with the windows.

He was beginning to take the High Ridge mystery seriously.

CHAPTER X

MR. HADLEY PROVES A TRUE PROPHET

Burton had reason to congratulate himself on having formed a clear idea of the location of his new room, for he had occasion to use that knowledge in a hurry.

He had dropped into an early and heavy sleep, to make up for his wakeful adventures of the night before, when he was awakened by a succession of screams that seemed to fill the room with vibrating terror. He was on his feet and into his clothes in less time than it would have taken the average man to wake up. While he was dressing another shriek showed that the sounds came from the adjoining house which he had noticed across the driveway. He dropped at once from his window to the roof of a bay window below and thence to the ground. It was a woman shrieking. That was all he knew. He stumbled across the driveway, and found his way to the front door of the house. It was locked. Even while he was trying it, a man from the street dashed up the steps and ran along the porch to a side window, which he threw up.

"Lucky you thought of that," cried Burton, running to the spot. On the instant he recognized Henry Underwood.

"For heaven's sake, if there is trouble here, keep away," he said impetuously, forgetting everything except that this was Leslie's brother.

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